

SENATE BILL 1642  
By Rochelle

AN ACT to amend Tennessee Code Annotated, Title 2, Chapter 3; Title 3; Title 4; Title 49, Chapter 9, Part 4 and Title 49, Chapter 50, Part 6, relative to legislative structure and staff support services.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 3-12-101, is amended by adding the following new subdivisions:

( ) Conduct research on important problems for the consideration of the legislative branch as directed by the general assembly, either house thereof, or a committee of either house;

( ) Assist individual legislators in collecting data;

( ) Provide legal and research personnel to serve as committee staff or to assist the staff of any committee of either house upon request of the speaker of the senate or the speaker of the house of representatives.

SECTION 2. Tennessee Code Annotated, Section 3-16-101, is amended by adding the following new subdivisions:

( ) Provide training programs for permanent and temporary legislative employees to familiarize them with procedures, organization, reference materials, and other aspects of legislative information services for the purpose of improving efficiency;

( ) Report on the content and status of pending legislation and to prepare manuals and directories;

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( ) Arrange for the printing, distribution, and sale of copies of proposed legislation, amendments to proposed legislation, and other legislative acts, reports, or publications, including documents from prior sessions, except for such publications which are prepared by the clerks of the senate and the house of representatives;

( ) Cooperate with similar agencies of other states, with the council of state governments, and with other interstate research organizations;

( ) Collect, summarize, index, and distribute information relating to legislation and legislative matters.

SECTION 3. Tennessee Code Annotated, Title 3, Chapters 11 and 14, are amended by deleting the chapters in their entirety.

SECTION 4. Tennessee Code Annotated, Section 3-16-101, is amended by deleting the language “office of management information systems” and by substituting instead the language “office of legislative information services”.

SECTION 5. Tennessee Code Annotated, Section 3-16-102, is amended by deleting from the first sentence the language “management information systems” and by substituting instead the language “legislative information services”.

SECTION 6. Tennessee Code Annotated, Section 3-16-103, is amended by deleting the language “management information systems” and by substituting instead the language “legislative information services”.

SECTION 7. Tennessee Code Annotated, Section 2-3-102(a)(3), is amended by deleting the language “management information services” and by substituting instead the language “legislative information services”.

SECTION 8. Tennessee Code Annotated, Section 2-3-102(c)(2), is amended by deleting the language “management information services” and by substituting instead the language “legislative information services”.

SECTION 9. Tennessee Code Annotated, Section 3-1-103(a)(1), is amended by deleting from the second sentence the language “management information services” and by substituting instead the language “legislative information services”.

SECTION 10. Tennessee Code Annotated, Section 3-2-110, is amended by deleting the section in its entirety.

SECTION 11. Tennessee Code Annotated, Section 3-10-107(a)(1), is amended by deleting the language “legislative management information systems” and by substituting instead the language “legislative information services”.

SECTION 12. Tennessee Code Annotated, Section 3-10-107(a)(2), is amended by deleting the language “legislative management information systems” and by substituting instead the language “office of legislative information services”.

SECTION 13. Tennessee Code Annotated, Section 3-10-107(b), is amended by deleting from the second sentence the language “the director of the office of legislative services, the director of the office of management information systems” and substituting instead the language “the director of the office of legislative information services”.

SECTION 14. Tennessee Code Annotated, Section 4-15-102(e)(1), is amended by deleting the language “office of legislative services” and substituting instead the language “office of legislative information services”.

SECTION 15. Tennessee Code Annotated, Section 49-9-401(b)(3), is amended by deleting the language “office of legislative services” and substituting instead the language “office of legislative information services”.

SECTION 16. Tennessee Code Annotated, Title 3, is amended by adding the following new chapters:

Section 3-17-101.

There is created the office of legislative personnel, which has the duty to:

(1) Conduct all personnel matters relative to permanent and temporary legislative employees for the legislative staff offices established under Tennessee Code Annotated, Title 3, and the individual members' offices.

(2) Develop and administer the personnel policy of the legislative branch after consultation with the clerks of the respective houses and the directors of legislative staff offices. The respective speaker or both speakers, as appropriate, shall approve such policy;

(3) Develop, plan, and administer continuing education and training programs for the legislative employees as directed by the speakers or requested by a director of a legislative staff office within the funds budgeted for such training.

(4) Encourage legislative employees to improve professional skills by scheduling such employees to attend seminars and educational courses;

(5) Work with the office of legislative administration to create and maintain records to implement the policies established by the director of personnel;

(6) Establish and implement a policy in conjunction with the speakers for the prevention of sexual harassment; this policy shall include training workshops and the establishment of a hearing procedure;

(7) Oversee the operation of the legislative intern program and provide direct supervision of the intern program administrator; and

(8) Perform such other duties as may be assigned by the speakers.

Section 3-17-102.

The speakers shall appoint a director of legislative personnel who shall be a graduate of an accredited college or university or have a minimum of four (4) years of professional management experience deemed to be pertinent and sufficient to perform the duties of the position. The director and other personnel shall be chosen without reference to party affiliation but solely on the basis of fitness to perform the duties of the

office. The director shall serve at the pleasure of the speakers. The speakers shall determine the compensation of the director, while the compensation of other personnel shall be approved by the speakers upon recommendation of the director. Personnel shall be employed on recommendation of the director with the approval of the speakers.

Section 3-17-103. Suitable office space and facilities shall be provided in Nashville convenient to the general assembly.

Section 3-18-101. There is created the office of legislative budget analysis, which has the duty to:

(1) Conduct detailed analyses of the state's budget and its content including recommended appropriations, expenditures, revenues, work programs, recommended appropriations for capital projects, recommended improvements, recommended carry-over appropriations, recommended supplemental appropriations, and other aspects of the budget, and shall review and report on such items as the status of the reserve account for revenue fluctuations, the amount of state-bonded indebtedness, and the status and condition of the financing of state programs;

(2) Assist the speakers in reviewing and analyzing the state funding board reports of the estimated rate of growth of the state's economy;

(3) Conduct detailed analyses of the impact of complex legislation and summarize the short-term and long-term impact of such legislation on the state's budgeting and financing methods and sources;

(4) Examine and make recommendations on the short term and long term effect of public policy decisions of the general assembly and make recommendations for changes in overall public policy designed to bring about efficiencies and economies;

(5) Advise the speakers on reports received under Tennessee Code Annotated, §8-6-109, concerning any lawsuit that could result in a significant increase in state expenditures; and

(6) Perform such other duties as may be assigned by the speakers.

Section 3-18-102. (a) To aid the office of legislative budget analysis, the staff of the comptroller of the treasury and the fiscal review committee shall furnish such professional, technical, and clerical assistance as may be required. The office may also call on the staff of the other legislative staff offices for advice and assistance as required.

(b) In carrying out the responsibilities of the office, the office shall call upon the executive, legislative, and judicial departments and agencies of state government for such information as the office requires, and such agencies and departments shall furnish promptly the desired information.

(c) The commissioners of revenue and finance and administration shall provide the director with monthly reports of revenues and expenditures and copies of reports received by the commissioner from other departments under the provisions of Tennessee Code Annotated, Title 9, Chapter 6, Parts 1 and 3.

Section 3-18-103. The speakers shall appoint a director of legislative budget analysis who shall be a graduate of an accredited college or university, shall have five (5) or more years of experience in the field of state budget analysis and review, and shall have such training or practical experience in government as may be deemed necessary to perform the duties of the office. The director and other personnel shall be chosen without reference to party affiliation but solely on the basis of fitness to perform the duties of the office. The director shall serve under the direction of and at the pleasure of the speakers. The speakers shall determine the compensation of the director, while the compensation of other personnel shall be approved by the speakers upon the

recommendation of the director. Personnel shall be employed on the recommendation of the director with the approval of the speakers.

Section 3-18-104. Suitable office space and facilities shall be provided in Nashville convenient to the general assembly.

SECTION 17. Tennessee Code Annotated, Section 3-10-105, is amended by deleting the section in its entirety and substituting instead the following:

(a) The office of legal services, the office of legislative administration, the office of legislative information services, the office of legislative personnel, and the office of legislative budget analysis established by §§3-12-101, 3-13-101, 3-16-101, 3-17-101, and 3-18-101, respectively, may call upon the state library, state universities and colleges, the comptroller of the treasury, the attorney general and reporter, and all other state departments and agencies for assistance and advice.

(b) It is the duty of the attorney general and reporter to render opinions and give counsel to the office of legal services, the office of legislative administration, the office of legislative information services, the office of legislative personnel, and the office of legislative budget analysis upon request of a director of any of the respective offices.

SECTION 18. Tennessee Code Annotated, Section 3-13-101(a), is amended by deleting subdivision (1) and substituting instead the following:

Assist the speaker of the senate and the speaker of the house of representatives and the directors of the legislative staff offices with the preparation of budgets; in so assisting the speakers, the director shall meet with the other directors and staff offices before preparing an annual budget and shall submit proposed budget recommendations to the speakers.

SECTION 19. Tennessee Code Annotated, Section 3-13-101(a), is amended by deleting subdivision (2) and substituting instead the following:

Provide for processing of all forms and records on members and employees of the general assembly; maintain such personnel records as may be necessary or advisable in accordance with accepted personnel practices and the policies of the director of legislative personnel;

SECTION 20. Tennessee Code Annotated, Section 3-13-101(a), is amended by adding at the end of subdivision (6) the following:

and maintain records and inventory controls, and make quarterly reports to the speakers of such usage.

SECTION 21. Tennessee Code Annotated, Section 3-13-101(a), is amended by deleting subdivisions (7) and (10) in their entirety.

SECTION 22. Tennessee Code Annotated, Section 3-13-101(a), is amended by adding at the end of subdivision (8) the following:

and make quarterly reports to the speakers of such disbursements.

SECTION 23. Tennessee Code Annotated, Section 3-3-104(a), is amended by deleting the subsection in its entirety and substituting instead the following:

A primary committee, appointed and acting on behalf of either or both houses of the general assembly, as contemplated and provided in this chapter, may, unless otherwise directed by the house or houses of the general assembly for which the committee is acting, employ staff, subject to the approval of the speaker or speakers, as appropriate, to make a record of the testimony given before the committee, as well as all other data and information assembled and procured under the direction of the committee.

SECTION 24. Tennessee Code Annotated, Section 3-3-105, is amended by deleting the section in its entirety and substituting instead the following:



The compensation for committee staff, for performing their duties under the provisions of this chapter, shall be paid from the general legislative expense account from any funds not otherwise appropriated.

SECTION 25. Tennessee Code Annotated, Section 3-3-107, is amended by deleting the section in its entirety and substituting instead the following:

When, under the authority of this chapter, a committee designates, from its own membership, a subcommittee or subcommittees to act for it and to proceed with its work and investigation as provided in §3-3-106, then such committee, from among its authorized staff shall designate necessary staff assistance for the subcommittee. The designated subcommittee staff shall support the work of the subcommittee.

SECTION 26. Tennessee Code Annotated, Section 49-50-602(d), is amended by adding the following language:

Provided, however, each intern appointed by an individual college or university shall abide by the general policies and procedures established by the program administrator as a precedent condition of recognition as an intern and use of the legislative facilities.

SECTION 27. Tennessee Code Annotated, Section 49-50-603(b)(3), is amended by deleting the language of the subdivision in its entirety and substituting instead the following:

The program administrator.

SECTION 28. Tennessee Code Annotated, Section 49-50-605, is amended by deleting the section in its entirety and substituting instead the following:

(a) The speakers shall appoint an intern program administrator who shall be a graduate of an accredited college or university or have a minimum of four (4) years of professional administrative or program management experience. The program administrator and other personnel shall be chosen without reference to party affiliation but solely on the basis of fitness to perform the duties of the office. The program

administrator shall serve at the pleasure of the speakers. The speakers shall determine the compensation of the program administrator.

(b) For the purpose of supervision, management, oversight, and the assignment of duties and responsibilities, the program administrator shall report to the director of the office of legislative personnel. The director of legislative personnel shall have responsibility for ensuring that all duties and responsibilities are performed in an efficient and effective manner and shall make recommendations to the speakers for changes designed to improve the efficiency and effectiveness of the intern program.

(c) The program administrator shall perform the following duties:

- (1) Maintain appropriate committee records;
- (2) Administer the intern program policies and procedures;
- (3) Maintain a file pertinent to each legislative staff intern during the period of internship;
- (4) Coordinate the specific work assignment of interns;
- (5) Coordinate the individual academic requirements of legislative interns with the chair of the academic intern committee; and
- (6) Other duties that the speakers jointly may assign. Such duties shall include but not be limited to the coordination and responsibility for all intern and volunteer services.

SECTION 29. Tennessee Code Annotated, Section 49-50-607, is amended by deleting the language in its entirety and substituting instead the following:

Upon the proposal of the program administrator, the committee shall adopt a statement of policies and procedures to be followed by the program administrator in the administration of the legislative intern program and for the guidance of legislative offices and committees desiring to utilize the services of legislative interns.

SECTION 30. Tennessee Code Annotated, Section 3-10-104, is amended by designating the existing language as subsection (a) and by adding the following new subsection:

(b) The committee, subject to the approval of the speakers, is responsible for facilities maintenance services and security services for all legislative facilities and may appoint staff for such purposes. "Facilities maintenance services" means office relocations, equipment, maintenance support for house and senate chambers, general painting, minor electrical and renovation work, coordinator for housekeeping services, mail room services, and such other services as the speakers may indicate.

(c) The speakers shall approve the establishment of all staff services for the general assembly subject to funding in the general appropriations act.

SECTION 31. Tennessee Code Annotated, Section 3-15-102(b)(4), is amended by adding at the end of the subdivision the following:

and subject to the approval of both speakers.

SECTION 32. Tennessee Code Annotated, Section 3-15-202(4), is amended by adding at the end of the subdivision the following:

and subject to the approval of both speakers.

SECTION 33. Tennessee Code Annotated, Section 3-15-502(b)(5), is amended by adding at the end of the subdivision the following:

and subject to the approval of both speakers.

SECTION 34. Tennessee Code Annotated, Section 4-3-1105, is amended by designating the existing language as subsection (a) and by adding the following new subsection:

(b) Any temporary use that requires a permit for space or facilities occupied or used by the general assembly is subject to the approval of both speakers.

SECTION 35. Tennessee Code Annotated, Section 4-3-1106, is amended by deleting the section in its entirety.

SECTION 36. Tennessee Code Annotated, Section 3-7-101(f), is amended by deleting the language “exclusive of the speakers”.

SECTION 37. Tennessee Code Annotated, Section 3-7-103(c), is amended by deleting the second sentence and substituting instead the following:

The committee may call on the staff of the office of legal services, the office of legislative administration, the office of legislative information services, the office of legislative personnel, and the office of legislative budget analysis for such assistance and advice as it may require.

SECTION 38. This act shall take effect upon becoming a law, the public welfare requiring it.